

Tuesday, July 16, 2013

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

**PRESENT:** Supervisors: Frank R. Mecham, Adam Hill, Debbie Arnold and Acting Chairperson Bruce S. Gibson

**ABSENT:** None

**THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.**

**Consent Agenda – Review and Approval:**

**1-22.** This is the time set for consideration of the Consent Agenda.

**Acting Chairperson Gibson:** opens the floor to public comment.

The action taken for Consent Agenda items 1 through 22 on the following vote is indicated for each item.

**Motion by:** Adam Hill  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

**Consent Agenda - Assessor Items:**

1. Submittal of a resolution authorizing the Assessor to enter into a Joint Powers Agreement with the State Board of Equalization and other participating counties for the purpose of creating an E-forms Portal for the collection, storage, and maintenance of assessment information.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-161, adopted.**

**Consent Agenda - Board of Supervisors Items:**

2. Submittal of Supervisor's expense report on meetings attended pursuant to Government Code section 53232.3(d).

**Ms. Linde Owen:** speaks.

**The Board approves as recommended by the County Administrative Officer.**

3. Request to approve an agreement with the City of Grover Beach - Parks and Recreation Department in the amount of \$2,000 from District 3 Community Project Grant Funds – Fund Center 106 to be used for expenses associated with holding the Sizzlin’ Summer Concert Series every Sunday through September 29th, 2013.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - General Services Agency Items:**

4. Request to approve First Amendment to lease agreement with AT&T Wireless Services, Inc. for a cell site at Nipomo Community Park and assignment of the Lease to New Cingular Wireless PCS, LLC.

**Ms. Linda VanFleet – General Services Agency:** replaces the location map to show Nipomo Community Park not Lopez Lake and clarifies the subject line should have stated that there are two documents presented for approval, an amendment to the lease and a memorandum of lease, as outlined in the recommendation.

**This item is amended by replacing the location map to show Nipomo Community Park not Lopez Lake and by clarifying the subject line should read that there are two documents presented for approval, an amendment to the lease and a memorandum of lease, as outlined in the recommendation. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

**Consent Agenda - Health Agency Items:**

5. Request to approve an amendment to the existing agreement (Clerk’s File) with Community Health Centers of the Central Coast in the amount of \$1,250,000 to provide primary medical care, pharmacy and ancillary services to County Medical Services Program patients, extending the term of the agreement through December 31, 2013.

**The Board approves as recommended by the County Administrative Officer.**

6. Request to approve amendments to existing agreements (Clerk’s File) with Arroyo Grande Community Hospital, French Hospital Medical Center, Sierra Vista Regional Medical Center and Twin Cities Community Hospital to provide hospital services to County Medical Services Program patients, to extend the term of the agreements through December 31, 2013.

**The Board approves as recommended by the County Administrative Officer.**

7. Request to: 1) approve the Blue Shield of California Foundation Grant Agreement in the amount of \$114,639 to maximize enrollment of uninsured residents and transition County Medical Services Program (CMSP) enrollees to Medi-Cal or Covered California starting October 2013; and 2) approve a sole source contract with Diringer and Associates in an amount not to exceed \$75,000 for consulting services to help implement the transition.

**The Board approves as recommended by the County Administrative Officer.**

**Motion by:** Adam Hill  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

8. Request to approve four renewal contracts and one new contract (Clerk’s File) with five Sober Living Environment providers for Fiscal Year 2013-14 in the collective amount not to exceed \$200,000 to provide sober living environment housing in collaboration with drug and alcohol treatment services.

**The Board approves as recommended by the County Administrative Officer.**

9. Request to approve a renewal contract (Clerk’s File) with San Luis Obispo County Special Education Local Planning Area for FY 2013-14 in an amount not to exceed \$773,212 whereby County will continue to provide educationally related mental health services for eligible children who have an Individual Education Plan.

**This item is amended by correcting the dollar amount in the recommendation to read \$773,212 not \$776,313. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.**

10. Request to approve a contract (Clerk’s File) with Gayle D. Gaines, M.D. for calendar year 2013 at a rate of \$121 per hour to provide psychiatric services for Mental Health patients.

**The Board approves as recommended by the County Administrative Officer.**

11. Request to approve a renewal contract (Clerk's File) with County Office of Education for Fiscal Year 2013-14 in an amount not to exceed \$200,000 to provide outpatient drug-free substance abuse treatment services to students enrolled in Sober School programs.

**The Board approves as recommended by the County Administrative Officer.**

12. Request to approve four (4) renewal contracts (Clerk's File) with four Institutes for Mental Disease facilities for Fiscal Year 2013-14 in the collective amount not to exceed \$729,051 to provide residential and intensive mental health services in locked facilities to adults who cannot care for themselves due to their mental illness.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Probation:**

13. Request to authorize the Chief Probation Officer to sign a three year Memorandum of Agreement with the seven municipal police departments for provision of the Probation Public Safety Liaison Officer Program in annual the amount of \$120,186.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Public Works Items:**

14. Request to approve an agreement with the State to exchange federal highway funds in the amount of \$578,060 for State highway account funds for Fiscal Year 2012-13, direct the Chairperson to execute the agreement, and approve a resolution authorizing the Chairperson to execute future agreements. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-162, adopted.**

15. Request to approve an agreement with the San Luis Obispo County Office of Education for a cable TV Public, Education, and Government (PEG) Access Grant and authorize an associated budget adjustment in the amount of \$48,314. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda Public Works - Board Sitting as Flood Control District:**

16. Submittal of resolutions to levy assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area). District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2013-163 and 2013-164, adopted.**

17. Submittal of a resolution to levy additional annual assessments for Flood Control Zones 1 and 1A (Arroyo Grande/Oceano Area). District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-165, adopted.**

**Consent Agenda - Social Services Items:**

18. Request to approve the renewal service contract (Clerk's File) with the National Council on Crime and Delinquency, Inc., for Safe Measures and Structured Decision Making in the total amount of \$215,224

for Fiscal Years 2013-2014 and 2014-2015.

**The Board approves as recommended by the County Administrative Officer.**

19. Request to approve: 1) an agreement (Clerk’s File) with the South Bay Workforce Investment Board, Inc. for receipt of Workforce Investment Act (WIA) Dislocated Worker 25% Additional Assistance funds in the amount of \$197,311, 2) a corresponding budget adjustment in the amount of \$197,311 of 25% WIA Dislocated Worker Additional Assistance funds to FC 180- Department of Social Services, and 3) a contract (Clerk’s File) with Goodwill Industries for Dislocated Worker services for Fiscal Year 2012-13 and 2013-14 in the amount of \$178,567 in 25% WIA Dislocated Worker Additional Assistance funds.

**The Board approves as recommended by the County Administrative Officer.**

20. Request to approve the renewal service contract (Clerk’s File) for the Relative Caregiver Program between the County of San Luis Obispo Department of Social Services and Seneca Family of Services (Seneca), in the amount of \$240,838 for Fiscal Year 2013-2014.

**The Board approves as recommended by the County Administrative Officer.**

21. Request to approve a renewal service contract (Clerk’s File) for Housing Assistance Services with the Housing Authority of the City of San Luis Obispo (HASLO) for Fiscal Year 2013-2014 in the amount of \$100,000.

**The Board approves as recommended by the County Administrative Officer.**

**Motion by:** Adam Hill  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

22. Request to approve two renewal service contracts (Clerk’s File) for Domestic Violence Services with: 1) Sexual Assault Recovery and Prevention (SARP) Center of San Luis Obispo County and 2) Women’s Shelter Program of San Luis Obispo County (WSP) for Fiscal year 2013-2014 in the amounts of \$100,000 and \$75,000 respectively.

**The Board approves as recommended by the County Administrative Officer.**

**Public Comment Period:**

23. This is the time set for members of the public wishing to address the Board on matters other than scheduled items.

**Acting Chairperson Gibson:** opens the floor to public comment and states he would like to have all request to speak slips for public comment on the dais before the item is opened.

**Mr. Eric Greening:** speaks to the State Lands Commission’s Mitigated Negative Declaration Offshore Low-Energy Geophysical Survey Permit Program Update; and requests the County have hardcopies of the document available for the public.

**Dr. C. Hite:** presents and discusses photographs regarding gun violence.

**Mr. Ben DiFatta and Ms. Linde Owen:** comment on the Los Osos Wastewater Project (LOWWP). Additionally, Ms. Owen, comments on the submittal of public comment speaker slips.

**Ms. Julie Tacker; Mr. Tom Dawson; Ms. Elsa Dawson; Ms. Laura Mordaunt; and Mr. Bill Pelfrey:** address various concerns relating to the Paso Robles Groundwater Basin; last week's discussion during public comment period; and the Brown Act. Additionally, Ms. Tacker questions if Acting Chairperson

Gibson's trip to meet with the Nuclear Regulatory Commission (NRC) is reimbursable by the Public Utilities Commission and PG&E; and Mr. Pelfrey comments on the cut-off time to submit public comment speaker slips.

**Mr. Dan Lloyd:** states he was a member of the stakeholder group who participated in the Planning and Building Director interviews; and outlines why he is requesting the Board re-open the recruitment process for the position.

**Ms. April McLaughlin:** comments on the potential Farmers Market in Oceano; the recent Grover Beach and Arroyo Grande Chamber of Commerce meeting; and suggests the admission fee be waived to attend those meetings.

**Acting Chairperson Gibson:** asks staff to respond to last week’s discussion regarding the Paso Robles Groundwater basin, the Brown Act and the schedule for moving forward on this matter, with Ms. Rita Neal – County Counsel, stating there was no violations of the Brown Act during last week’s discussion and Mr. Dan Buckshi – County Administrative Officer, stating that there will be a Board Business item on August 6, 2013 to discuss potential urgency options and an item set on August 27, 2013, per the Board’s direction from the May 7, 2013 meeting. **No action taken.**

**Board Committee Reporting:**

**24.** This is the time set for Board Members to report on various committee activities.

**Supervisor Arnold:** highlights various club and committee meetings and special events she has attended. Further, states Monica Grant is the new Chief Executive Officer (CEO) for the YMCA; and announces the Atascadero Library Groundbreaking Kick-off event will be held on Friday, July 19, 2013 at 9:00 AM.

**Supervisor Hill:** comments on the Lodge Project at the Oceano Airport.

**Acting Chairperson Gibson:** speaks to the Independent Peer Review Panel. **No action taken.**

**Board Business:**

**25.** Consideration of a status report by Mike Miller of the Ferguson Group on Federal lobbying activities being undertaken on behalf of the County.

**Mr. Mike Miller – Ferguson Group:** speaks.

**Acting Chairperson Gibson:** opens the floor to public comment.

**Mr. Eric Greening:** speaks.

**Acting Chairperson Gibson:** receives and files the Ferguson Group’s status report. **No action taken.**

**26.** Submittal of a resolution adopting a policy governing bid protests and other challenges to construction contracts. All Districts.

**Acting Chairperson Gibson:** opens the floor to public comment without response.

**RESOLUTION NO. 2013-166, a resolution adopting a policy governing bid protests and other challenges to construction contracts, adopted.**

**Motion by:** Frank R. Mecham  
**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			

Debbie Arnold (Board Member)	x			
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**Closed Session:**

32. The Board announces they will be going into Closed Session regarding:
- I. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code section 54957.6.) It is the intention of the Board, sitting as the Governing Board of the San Luis Obispo County In Home Support Services Public Authority, to meet in Closed Session to have a conference with its Labor Negotiator concerning the following: Name of employee organization: 1. United Domestic Workers.
  - II. PERSONNEL (Gov. Code section 54957.) It is the intention of the Board to meet in closed session to: 2. Consider Public Employee Appointment for the Position of Director of Building/Planning.

**(This item was amended, per the Addendum to the Agenda, by adding Closed Session Items that were inadvertently left off of the Agenda. REQUIREMENTS OF THE BROWN ACT HAVE BEEN SATISFIED AS THIS NOTICE WAS POSTED PRIOR TO THE 72-HOUR NOTICING REQUIREMENT.)**

**Acting Chairperson Gibson:** opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

**Presentations:**

27. Presentation of the Leadership SLO Class XXI Legacy Project to update San Luis Obispo County's display at the Hall of Counties at the Capitol Building in Sacramento.

**Ms. Amy Collins – Leadership SLO Class XXI (Powerpoint):** speaks. **No action taken.**

28. Submittal of a resolution recognizing Jan Potter for receiving the Commission on the Status of Women 2012 Woman of the Year award.

**Mr. Paul Potter; Ms. Vivien Mendez; Ms. Consuelo Maux - Commission on the Status of Women Chairperson; and Ms. Paulla Ufferheide:** speak.

**RESOLUTION NO. 2013-167, a resolution recognizing Jan Potter for receiving the Commission on the Status of Women 2012 “Woman of the Year” award, adopted.**

**Motion by:** Adam Hill  
**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

29. Submittal of The Commission on Aging Annual Report for FY 2012-2013.

**Ms. Kathleen Bellefontaine; Ms. Carol Schmidt; and Ms. Alice York – Commission on Aging:** speak.

**The Board accepts and files the Annual Report for Fiscal Year 2012-2013 from the San Luis Obispo County Commission on Aging.**

**Motion by:** Adam Hill  
**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
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Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

Hearings:

30. Hearing to consider an appeal of the Templeton Area A Road Improvement Fee by Mike and Nancy Harris. District 1.

Mr. Mike Harris – Appellant (photographs): speaks.

Acting Chairperson Gibson: opens the floor to public comment without response.

The Board denies the appeal to waive or reduce the projects’ Road Improvement Fee; and waives the appeal fee of \$513.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

31. Hearings to consider five proposals to establish a new agricultural preserve and amend existing agricultural preserves. Districts 1 and 5.

A. FILE NUMBER: AGP2012-00010: A proposal by Patricia Diane Vineyard, LLC to alter the boundaries of an agricultural preserve to reflect a lot line adjustment. The resulting parcel will include approximately 54 acres. The property is located in the Agriculture land use category approximately 0.5 mile west of Buena Vista Drive approximately 2,000 feet east of River Road, north of and abutting the City of Paso Robles. The parcel is in the Salinas River Planning Area. APNs: 020-311-030 & PTN of 020-012-017; District No. 1.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-168, a resolution altering the boundaries of Estrella Agricultural Preserve No. 10 pursuant to the California Land Conservation Act of 1965, adopted.

Motion by: Frank R. Mecham

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)				
Frank Mecham R. (Board Member)				
Adam Hill (Board Member)				
Debbie Arnold (Board Member)				

B. FILE NUMBER: AGP2012-00011: A proposal by Woodland Trust to alter the boundaries of an agricultural preserve to reflect a lot line adjustment. The resulting parcel will include approximately 114 acres. The property is located in the Agriculture land use category at 3995 Buena Vista Drive north of and abutting the City of Paso Robles. The parcel is in the Salinas River Planning Area. APN: 020-012-017; District No. 1.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-169, a resolution altering the boundaries of Estrella Agricultural Preserve No. 9, Amendment No. 1 pursuant to the California Land Conservation Act of 1965, adopted.

**Motion by:** Frank R. Mecham  
**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson) Frank Mecham R. (Board Member) Adam Hill (Board Member) Debbie Arnold (Board Member)				

**C. FILE NUMBER: AGP2012-00013:** A Proposal by Flight Investments, LLC to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The 50 acre parcel is located within the Agriculture land use category at 495 Cripple Creek Road approximately 3/4 mile south of the intersection of Creston Road and Cripple Creek Road and approximately 5.0 miles southeast of the Urban Reserve Line of Paso Robles. The site is in the El Pomar-Estrella planning area. APN: 035-101-051; District No. 5.

**Acting Chairperson Gibson:** opens the floor to public comment without response.

**RESOLUTION NO. 2013-170, a resolution establishing an agricultural preserve pursuant to the California Land Conservation Act of 1965, adopted.**

**Motion by:** Debbie Arnold  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson) Frank Mecham R. (Board Member) Adam Hill (Board Member) Debbie Arnold (Board Member)				

**D. FILE NUMBER: AGP2009-00025:** Reconsideration of a proposal by Claudine Blackwell to alter the boundaries of an agricultural preserve to reflect a lot line adjustment. The resulting parcel will remain at approximately 120 acres. The project site is located in the Agriculture land use category at 1030 Penman Springs Road, approximately 0.5 mile southeast of the intersection of Penman Springs Road and Union road, approximately 1.1 mile east of the City of Paso Robles, in the El Pomar-Estrella Planning Area. APNs: 015-053-027 & 28; District No. 5.

**Acting Chairperson Gibson:** opens the floor to public comment without response.

**RESOLUTION NO. 2013-171, a resolution altering the boundaries of El Pomar Agricultural Preserve No. 71 pursuant to the California Land Conservation Act of 1965, adopted.**

**Motion by:** Debbie Arnold  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson)	x			
Frank Mecham R. (Board Member)	x			
Adam Hill (Board Member)	x			
Debbie Arnold (Board Member)	x			

**E. FILE NUMBER - AGP2009-00026:** Reconsideration of a proposal by Keith Harnish to alter the boundaries of an agricultural preserve to reflect a lot line adjustment. The resulting parcel size will remain at approximately 440 acres. The property is located in the Agriculture land use category at 1975 Hidden Acre Lane, approximately 1 mile southeast of the intersection of Penman Springs Road and Union road, approximately 1.5 mile east of the City of Paso Robles, in the El Pomar-Estrella Planning Area. APN: 015-053-025; District No. 5.



**Acting Chairperson Gibson:** opens the floor to public comment without response.

**RESOLUTION NO. 2013-172, a resolution altering the boundaries of El Pomar Agricultural Preserve No. 1 pursuant to the California Land Conservation Act of 1965, adopted.**

**Motion by:** Debbie Arnold  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Bruce S. Gibson (Acting Chairperson) Frank Mecham R. (Board Member) Adam Hill (Board Member) Debbie Arnold (Board Member)				

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, July 16, 2013, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

**JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

**DATED:** July 18, 2013